Applicants: Edgardo Costa Maianti et al.

Serial No.: 10/804,583

REMARKS

Claims 1 to 3 and 7 are pending. Claim 1 has been amended and support for the amendment to claim 1 can be found throughout the specification and drawings.

Rejections under 35 U.S.C. § 103:

Claims 1 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,302,860 B1 to Gremel et al. (Gremel) in view of U.S. Patent No. 5,147,187 to Ito et al. (Ito) and in further view of U.S. Patent No. 3,256,883 to De Wall.

Applicant respectfully traverses this rejection of the claims. Although Applicant disagrees with the Examiner, independent claim 1 has been amended to recite that the monolithic housing includes "a first portion positioned at a top of the monolithic housing for defining the bubble trap" and "a second portion positioned at a bottom of the monolithic housing for defining the blood pump". Gremel in view of Ito and in further view of De Wall neither teaches nor suggests a monolithic housing that includes a first portion positioned at a top of the monolithic housing for defining the bubble trap and a second portion positioned at a bottom of the monolithic housing for defining the blood pump.

Claims 2 and 3 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,302,860 B1 to Gremel et al. (Gremel) in view of U.S. Patent No. 5,147,187 to Ito et al. (Ito) and in further view of U.S. Patent No. 3,256,883 to De Wall and in further view of U.S. Patent No. 5,924,848 to Israeley.

Amendment and Response Attorney Docket No.: DID1046US

Applicants: Edgardo Costa Maianti et al.

Serial No.: 10/804,583

Claims 2 and 3 depend from claim 1, which Applicants believe to be allowable for at least the reasons set forth above, and thus add further limitations to claim 1. Therefore Applicants believe claims 2 and 3 are also allowable and respectfully request that the Examiner withdraw the rejection of claims 2 and 3.

Conclusion

In view of Applicants' amendments and remarks, the claims are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue are respectfully requested.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: November 2, 2009 By /Terry L. Wiles/

Customer No. 009561

Terry L. Wiles (29,989)
Patrick J. O'Connell (33,984)
POPOVICH, WILES & O'CONNELL, P.A.

8519 Eagle Point Blvd., Suite 180

Lake Elmo, MN 55042

Telephone: (651) 330-4780 Attorneys for Applicants

twiles@pwolaw.biz

5